

## **REMARKS**

Applicants request favorable reconsideration and allowance of this application in view of the foregoing amendments and the following remarks.

Claims 1, 3, 5, 7-10, 12, 14, 16-18 and 23-46 are pending in this application, with Claims 1, 10, 19-23, 28, 31, and 39 being independent. Claims 8, 9, 17, 18 and 27 stand withdrawn from consideration.

Claims 10 and 28 have been amended, and new Claims 31-46 have been added. Applicants submit that support for the amendments can be found in the original disclosure, and therefore no new matter has been added.

Applicants acknowledge with appreciation the indication that Claims 1, 3, 5, 7, 23-26, and 29 have been allowed. Since withdrawn Claims 8, 9, 17, 18, and 27 each depend from a claim that is allowed or, in light of the present amendments, should be allowed, Applicants request that those withdrawn claims be rejoined and also allowed.

Claims 10, 12, 14, 16, 28 and 30 were rejected under 35 U.S.C. § 101 because the claimed invention is allegedly directed to non-statutory subject matter. Applicant has amended these method claims to recite a method used in an image processing apparatus, including steps of obtaining moving image data from an imaging unit and storing additional information related to an imaging action of the imaging unit during the imaging. Accordingly, Applicants submit that the claimed method recited in these claims is tied to a particular apparatus, i.e., an image processing apparatus including an imaging unit. Accordingly, favorable reconsideration and withdrawal of this rejection are requested.

In view of the amendments to Claims 10, 12, 14, 16, 28, and 30, Applicants submit that those claims should also be allowed.

Applicants submit that new Claims 31-46 are also allowable. New independent Claims 31 and 39 include a dividing unit/step to divide moving image data for one shot obtained from the beginning to the end of imaging into a plurality of segments of the moving image data based on additional information related to an imaging action of an imaging unit, and a selecting

unit/step to select at least one key frame of the plurality of segments of the divided moving image data based on the additional information. Applicants submit that those claims, and the claims depending therefrom, are patentable for reasons similar to Claim 1.

For the foregoing reasons, Applicants submit that this application is in condition for allowance. Favorable reconsideration and an early Notice of Allowance are requested.

Applicants' undersigned attorney may be reached in our Washington, D.C. office by telephone at (202) 530-1010. All correspondence should continue to be directed to our below-listed address.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'B. L. Klock', is written over a horizontal line.

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